

REMARKS/ARGUMENTS

Reconsideration and allowance of the above-referenced application are respectfully requested.

Claims 50-53 have been amended.

In a telephone conversation this morning with Examiner Ramirez, the Examiner indicated that the "histidine box" limitation introduced into claims 50-53 (in the Second Supplemental Amendment) would result in a new matter rejection. Further, the Examiner indicated that a "95%" identity limitation would likely be allowed in connection with claims 52 and 53.

The telephone conversation with Examiner Ramirez was greatly appreciated by Applicants' attorney.

Rejection of Claims 50-53 Under 35 U.S.C. 112, First Paragraph

The Examiner has maintained the rejection of claims 50-53 under 35 U.S.C. 112, first paragraph.

The Examiner's Position

The Examiner contends that the specification, while being enabling for polynucleotides encoding the polypeptides of SEQ ID NO:63 or SEQ ID NO:64, does not reasonably provide enablement for polynucleotides encoding polypeptides having elongase activity wherein the polypeptides are at least 70% sequence similar to the polypeptides of SEQ ID NO:63 or SEQ ID NO:64, or polynucleotides encoding polypeptides having elongase activity wherein said polypeptides are at least 60% sequence identical to the polypeptides of SEQ ID NO:63 or SEQ ID NO:64.

The Applicant's Position

The Applicants respectfully traverse the rejection of claims 50-53 under Section 112, first paragraph.

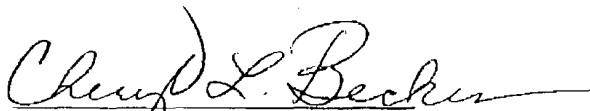
It is submitted that the claims are fully enabled by the specification.

In view of the above, it is submitted that the rejection of claims 50-53 under 35 U.S.C. 112, first paragraph has been overcome and should be withdrawn accordingly.

It is submitted that the subject application is in condition of allowance and Notice to that effect is respectfully requested.

Further, should the Examiner have any questions relating to the above, she is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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